

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

United States of America,

Case No. 24-cr-247 (MJD/TNL)

Plaintiff,

v.

ORDER

Robert David Ostrom,

Defendant.

This matter comes before the Court on Defendant Robert David Ostrom's Motion for Additional Time to File Pretrial Motions, ECF No. 16. Defendant also filed a Statement of Facts, ECF No. 17.

Defendant requests a 30-day extension of his pretrial motions filing deadline and corresponding deadlines. ECF No. 16 at 1. Defendant explains that he is seeking an extension because he and his counsel need additional time to review the Government's discovery due to scheduling conflicts. *Id.*; ECF No. 17. Defendant also requests the Court to exclude the period of continuance under the Speedy Trial Act. *Id.* The Government does not oppose the relief sought. ECF No. 16 at 1.

Pursuant to 18 U.S.C. § 3161(h), the Court finds that the ends of justice served by granting a continuance outweigh the best interests of the public and Defendant in a speedy trial and such continuance is necessary to provide the parties and their respective counsel reasonable time necessary for effective preparation and to make efficient use of the parties' resources.

Based on all the files, records, and proceedings herein, **IT IS HEREBY ORDERED** that:

1. Defendant's Motion for Additional Time to File Pretrial Motions, ECF No. 16, is **GRANTED**.

2. The period of time from **the date of this Order through November 12, 2024**, shall be excluded from Speedy Trial Act computations in this case.

3. An arraignment hearing will be held before Magistrate Judge Tony N. Leung on **December 4, 2024, at 1:00 p.m.**, in **Courtroom 9W**, Diana E. Murphy U.S. Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota 55415.

4. All motions in the above-entitled case shall be filed and served consistent with Federal Rules of Criminal Procedure 12(b) and 47 on or before **November 12, 2024**. D. Minn. LR 12.1(c)(1). Two courtesy copies of all motions and responses shall be delivered directly to the chambers of Magistrate Judge Tony N. Leung.

5. **Counsel shall electronically file a letter on or before November 12, 2024, if no motions will be filed and there is no need for a hearing.**

6. All responses to motions shall be filed by **November 26, 2024**. D. Minn. LR 12.1(c)(2).

7. Any Notice of Intent to Call Witnesses shall be filed by **November 26, 2024**. D. Minn. LR 12.1(c)(3)(A).

8. Any Responsive Notice of Intent to Call Witnesses shall be filed by **December 2, 2024**. D. Minn. LR 12.1(c)(3)(B).

9. A motions hearing will be held pursuant to Federal Rules of Criminal

Procedure 12(c) where:

- a. The Government makes timely disclosures and a defendant pleads particularized matters for which an evidentiary hearing is necessary; or
- b. Oral argument is requested by either party in its motion, objection or response pleadings.

10. If required and subject to further order of the Court, the motions hearing shall be heard before Magistrate Judge Tony N. Leung on **December 4, 2024, at 1:00 p.m.**, in **Courtroom 9W**, Diana E. Murphy U.S. Courthouse, 300 South Fourth Street, **MINNEAPOLIS**, Minnesota 55415. D. Minn. LR 12.1(d).

11. **TRIAL:**

a. **IF NO PRETRIAL MOTIONS ARE FILED BY DEFENDANT, the following trial and trial-related dates are:**

All voir dire questions and jury instructions must be submitted to District Judge Michael J. Davis on or before *a date to be determined*.

This case must commence trial on *a date to be determined*, before District Judge Davis in Courtroom 13E, **Diana E. Murphy U.S. Courthouse, 300 South Fourth Street, MINNEAPOLIS, Minnesota**.

b. **IF PRETRIAL MOTIONS ARE FILED, the trial date, and other related dates, will be rescheduled following the ruling on pretrial motions. Counsel must contact the Courtroom Deputy for District Judge Davis to confirm the new trial date.**

[Continued on next page.]

Dated: October 15, 2024

s/ Tony N. Leung

Tony N. Leung

United States Magistrate Judge

District of Minnesota

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